IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15889 of 2007(N)

PETITIONER:

1. V.S.SHANMUGHAN, SECRETARY,
   SREE NARAYANA DHARMA SABHA, MADAVANA P.O.,
   KODUNGALLOOR.

2. P.N.RAJAN, PRESIDENT,
   SREE NARAYANA DHARMA SABHA, MADAVANA P.O.,
   KODUNGALLOOR.

BY ADV. SRI.P.RAMAKRISHNAN
SRI.T.C.KRISHNA

RESPONDENTS:

1. THE CONSUMER DISPUTES REDRESSAL FORUM,
   THRISSUR.

2. ALEENA GEORGE (MINOR), REPRESENTED BY
   HER FATHER GEORGE, SON OF ELANJIKKAL CHUMMAR,
   KARA DESOM, EDAVILANGU VILLAGE, KODUNGALLUR TALUK.

3. SUB INSPECTOR OF POLICE,
   KODUNGALLOOR POLICE STATION,
   KODUNGALLOOR.

BY SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.15889 of 2007

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Dated this the 25th day of May, 2007

J U D G M E N T

The petitioners challenge the proceedings of the Consumer Disputes Redressal Forum, Thrissur, ordering arrest and detention in execution of the orders passed in O.P.No.319/2003. The petitioners filed appeal against the order and obtained a stay. However, the same was dismissed for default. The petitioners have their own reasons for being absent before the Commission when the case was called. Therefore, they have also filed an application for restoration of the appeal. However, it is in the meanwhile that the C.D.R.F. has issued warrant of arrest. In view of the facts and circumstances of the case, I feel that the petitioners should be given some breathing time to approach the Commission for appropriate reliefs in the matter against the arrest warrant especially since the

Commission had thought it fit to admit the appeal and grant a stay earlier and the same was dismissed only for default. Accordingly, I direct the petitioners to approach the Consumer Disputes Redressal Commission, Kerala for appropriate reliefs in the matter. To enable the petitioners to do so, I direct that the proceedings for arrest and detention of the petitioners shall be kept in abeyance for a period of one month. In view of the urgency of the situation, I direct the Consumer Disputes Redressal Commission to see whether the application for restoration submitted by the petitioners can be heard and disposed of within the said period of one month.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

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P.A. to Judge.